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HOW·NI·KAN

PEOPLE OF THE FIRE



Vol. 9 No. 2

Citizen Band Potawatomi Tribe

February, 1987

Tax Commission declares war

The Oklahoma Tax Commission has declared war on the Indian nations located within the state's borders.

Within the last several weeks the State Tax Commission has systematically levied tax assessments, raided inventory and arrested operators of Indian "smoke shops" throughout Indian Territory.

Court rules for Indians

The U.S. Supreme Court ruled this month that California, Oklahoma and all other states that have Indian bingo operating on tribal land are prohibited from regulating the games.

In a 6 - 3 ruling, the court defended the California Cabazon Band of Mission Indians' right to operate and regulate their own bingo operation without state or county interference.

The court's ruling in favor of the tribes met with praise from embattled Indian leaders across the country engaged in litigation to preserve their tribes' sovereign jurisdiction over Indian land.

Tribes may presently operate any form of enterprise allowed within a state without being subject to state regulation. Opponents of Indian bingo have charged there has been infiltration of the games by organized crime but, in the opinion issued by the Supreme Court, Justice Byron White said those charges could not be considered: "We conclude that the state's interest in preventing the infiltration of the tribal bingo enterprises by organized crime does not justify state regulation...in light of the

John Barrett, Chairman of the Citizen Band Potawatomi Tribe, was personally assessed a \$2.6 million tax levy by the State for cigarettes sold at the Potawatomi Tribal Store.

In a letter to the Tax Commission, Barrett pointed out that the Tribal Store was built with federal funds, located on tribal trust land, owned and

operated by the tribe and that neither he or any other individual profited personally from the store's sales. Barrett's letter also charged the Tax Commission with being fully aware of these facts and that one could, therefore, "only reasonably assume that the Commission's action is designed to harass me directly and the Potawatomi Tribe indirectly."

Barrett's letter of protest went on to put the Tax Commission on notice: "By proposing to assess an individual with a \$2.7 million tax bill ... acting under color of state law, (you) are abusing your official positions and abusing state process in violation of my civil rights. ...Your action in

harassing a tribal officer in his individual, personal capacity is a direct affront to the tribe's federally-recognized right to self government. This can only be designed to interfere with the governmental operation of the tribe. The State harassment of Indians merely because they are Indians or tribal officers or employees is inexcusable and directly affects the tribe's ability to govern."

The Citizen Band Tribe then filed for a preliminary injunction against the Oklahoma Tax Commission, charging harassment against the tribe and its officers. U.S. District Judge L. West then set a hearing date. Upon entering the courtroom the day of the hearing, Chairman Barrett was handed a letter from the Oklahoma Tax Commission withdrawing the tax assessment against him and requesting he "Please accept our apologies for any inconvenience this may have

caused you." Attorneys for the Tax Commission and the tribe informed the judge they were ready to proceed with argument on the request for a preliminary injunction. Judge West, questioning Tax Commission attorney Robert Jenkins, asked whether or not the Tax Commission had been successful in similar attempts to tax Indian cigarette stores. "No, your Honor," was the response. Jenkins, arguing that the people of Oklahoma were being harmed by Indians' non-payment of state tobacco taxes because of Oklahoma's current financial crisis, claimed that "smoke shops" across the state were costing Oklahoma \$6 million annually in lost revenue.

"It sounds to me like the price of peas is going up, and you haven't got any," noted the judge. The tribe's motion for a preliminary injunction was denied, based on the fact the Tax Commission had not yet transferred its assessment from Barrett to the tribe itself. Judge West is expected to issue a ruling within the next week.

Elsewhere around the state individuals operating on trust land, tribally owned and operated stores, and businesses licensed by tribes and located on trust land were under attack. Sac and Fox Tribal Court Judge Phil Lujan issued a temporary restraining order against the State Tax Commission after it brought charges against an Absentee Shawnee tribal member operating on Sac and Fox land with a Sac and Fox license. Both

(continued page 2)

BIA changes education grant requirements

The Bureau of Indian Affairs has announced that all enrolled tribal members are now eligible to apply for BIA educational scholarships — scholarships previously reserved for Indians with a quarter-blood degree or more.

The BIA's policy change comes on the heels of a federal court ruling invalidating the one-quarter blood requirement in California. In that ruling the 9th U.S. Circuit Court of Appeals charged the BIA with usurping the power of Congress and the Indian tribes by establishing a blood degree requirement for federal education loan applicants.

The 9th Circuit's unanimous opinion overturned that of U.S. District Judge John Vukasin who ruled that Diane Zarr, a member of the Sherwood Valley Band of Pomo Indians, was rightfully denied BIA assistance because she was 7/32 Indian. An 8/32 degree equals one-quarter.

Citizen Band Potawatomi enrolled tribal members interested in financial assistance for higher education need to take the following steps:

- 1) Contact your high school or college financial aid counselor immediately. The counselor will give you a financial aid packet that you will fill out and return. The counselor will then have the packet's information computerized and the student's financial needs determined. At the same time, the student needs to fill out an application for assistance from the Bureau of

Indian Affairs. All Citizen Band tribal members must request their BIA assistance through the Shawnee BIA Agency, Route 5 Box 148, Shawnee, Ok 74801. BIA applications for Fall term assistance must be received before June 1 of each year.

- 2) After receiving all information, the institute attended by the student will review all possible sources of assistance to meet the student's needs. The counselor will then contact the BIA and inform them of the student's qualified financial need.

Students are urged to start the application process as soon as possible. High school students may pick up financial assessment packets from their high school counselor and have the results sent to any and all colleges they are considering attending. An application request for assistance from the BIA should be sent for at the same time.

Pope to visit Native Americans

The Tekakwitha Conference National Center in Great Falls, Montana has announced the scheduling of a meeting between Pope John Paul II and the North American native people.

The Tekakwitha Conference

National Center will hold its Annual Conference at the Coliseum in Phoenix, Arizona from September 12 /ed 14. The conference is scheduled to culminate with Pope John Paul II's visit with the Native American people on the 14th from 4:30 until 6 p.m.

An inter-tribal honor guard, papal address, round dance and panel presentation of Native concerns have been scheduled for the gathering.

Historical documentation of the Potawatomi's long affiliation with the Jesuits and Benedictines has been forwarded to the Tekakwitha organizers and representatives from the Citizen Band Potawatomi Tribe are expected to attend the conference.

Code Talkers sought

Responding to an inquiry originating with the French government, a Norman research company is attempting to identify all living and deceased Oklahoma Indians who gave military service as "code talkers" in the French campaign of both World Wars.

Scientific Social Research (SSR) has been requested to assist Dr. C. Alton Brown, Oklahoma's honorary French consul, in determining the identities of the code talkers, who obstructed German interceptors by developing military cipher based upon their native languages.

The research effort has been inspired by a French government communication informing Dr.

Brown of the intention to commemorate the seventieth anniversary of America's entry into World War I by awarding the French National Order of Merit to a limited number of Americans whose combat record in France was noteworthy during either World War. Dr. Brown intends to recommend the code talkers for the decoration.

"This is a marvelous gesture on the part of Dr. Brown," said SSR spokesman Mike Wright. "It is appreciated that veterans from many ethnic backgrounds rendered distinguished service, but the Indian code talkers made a unique contribution by relying upon their native languages. They were able to do what they did only because they were Indians."

Preliminary research indicates that the code talkers included Indians from the Comanche, Choctaw, Kiowa, and Pawnee nations. Wright asks people who are able to confirm the identities and histories of any Oklahoma code talkers to please contact him at Scientific Social Research, 808 24th Avenue NW in Norman, Ok. 73069. "This must be done immediately," he said. "The anniversary is only two months

Tax commission from page 1

the store owned by the Potawatomi and the store operating on Sae and Fox land sell cigarettes stamped with a tribal tax stamp. Taxes are paid to the respective tribes' tax commissions. Other operations located on trust land but selling unstamped cigarettes and not regulated by any tribe had their inventories confiscated. Two store owners were arrested.

According to Chairman Barrett, some of the "Indian smoke shops" were obviously illegal. "A white man can't throw up a shack on an individual piece of trust property and sell unstamped cigarettes," he said. But the Sae and Fox and Potawatomi stores are operating under tribal license and permits and paying taxes to the tribes. The Potawatomi have an Alcohol and Tobacco Ordinance approved by Congress and published in the Federal Register.

"I own my own business," said Barrett, "and this negative publicity has been harmful to me personally. Attempts by the state to impose jurisdiction on Indian tribes or their officers, in violation of the Oklahoma Constitution, federal law and federal court precedent is a sad testimony to the destruction of cooperative efforts between the states and tribes. Attempts to blame the state's revenue shortfall on tribes is the worst kind of scapegoatism."

HOW-NI-KAN PEOPLE OF THE FIRE

The *HowNiKan* is a publication of the Citizen Band Potawatomi Tribe, with offices located at 1900 Gordon Cooper Drive, Shawnee, Oklahoma.

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Change of address, submissions and subscriptions should be mailed to Route 5, Box 151, Shawnee, Oklahoma 74801.

Citizen Band Potawatomi Business Committee

Chairman — John "Rocky" Barrett
Vice Chairman — Doyle Owens
Secretary-Treasurer — Kenneth Peltier Sr.
Committeeman — Dr. Francis Levier
Committeeman — Bob F. Davis

HowNiKan Editor
Patricia Sulcer

Constitutional Amendment

The following is a complete copy of the Constitutional revision being submitted to tribal members for approval. The Constitutional revision and the proposed Tribal Charter will be mailed to all tribal members by the Department of Interior sometime during the next six weeks.

Section 1. Business Committee Members shall be elected for five (5) year terms of office and Grievance Committee Members for three (3) year terms of office, both Committees shall serve until their successors be qualified and installed in office by a majority vote an election to be conducted by secret ballot, with absentee voting, on the date of the annual Citizen Band Potawatomi Indian Council Meeting. All elections shall be conducted pursuant to an election ordinance adopted by appropriate legislation of the Citizen Band Business Committee. At the time of their election they shall be: a member of the Citizen Band Indian Council, not less than twenty-one (21) years of age, reside within the Counties of Pottawatomic, Seminole, Pontotoc, McClain, Oklahoma, Lincoln, Cleveland or Okfuskee, State of Oklahoma, and not have been convicted of a felony or other crime involving moral turpitude in any court of competent jurisdiction within ten (10) years previous to the date of the election, unless pardoned.

Section 3. Election of Business Committee: The election shall be held as scheduled in June of 1987 for the Councilman #2, in June 1988 for Councilman #1, in June of 1989 for Secretary-Treasurer, in June 1990 for the Vice Chairman and in June 1991 for the Chairman. Current Business Committee Members shall continue to serve until the election for that position arises. Election for Grievance Committee: The election for Committeeman #3 shall be held in June of 1987, in June of 1988 for Committeeman #2 and in June of 1989 for Committeeman #1. The current Grievance Committee members shall continue to serve until the election for that position arises.

Reclaiming native history

Winter Solstice celebrated in traditional style

The days surrounding winter solstice represent a sacred time for Judaism, Christianity and others of the world's religions. For some 40 Native Americans, the longest night of the year was illuminated with a ceremonial fire for the fourth annual Wintermoon Ceremony.

The ceremony, conducted by Janet McCloud and other leaders of the Northwest Indian Women's Circle, marked the winter solstice, the time when the sun reached the point farthest south of the equator.

"We have decided to revive an ancient custom celebrated in many places in the world, and to honor other religions in the world," said McCloud.

"We all have daily worries, like utility bills to pay and cars to keep running, but for tonight, we will forget all those things, and be thankful that we are all here together, and that we have prospered and that we are healthy.

"This is the time we honor all our dead and our future that our children represent."

The Wintermoon Ceremony took place near Yelm (Washington) in an arbor on 10 acres of wooded ground belonging to McCloud. The gathering included a traditional Indian wedding, feast and giveaway; a sweatlodge ceremony; and the burning of a Yule log at 8:02 p.m., when the sun began its trip north.

About a dozen tribes were represented including Pottawatomi, Sac and Fox, Chippewa, Choctaw, Puyallup, Nisqually, Tulalip, Apache, Comanche and Kiowa tribes. The festivities and ceremonies borrowed from both Native American and European traditions.

Harold Belmont, a Suquamish spiritual leader, burned cedar greens, tobacco and sweetgrass during the marriage of Jenny Czichas, a Blackfoot Navajo woman, and Melvin Iyall Jr., a Puyallup man.

Friends of the couple were chosen as witnesses, a tradition that began before written records of such events were kept. Each witness was draped in a blanket with a \$20 or \$50 bill pinned to it, a gift from the couple's families.

Belmont charged the 10 witnesses with the responsibility to advise the bride and groom during troubled times, by reminding the couple of the importance of their spiritual union and giving them courage and hope to work through problems and forge a stronger marriage. Then, one by one, the witnesses stepped forward and spoke to the couple, giving them counsel for their life together.

Speakers throughout the day acknowledged the presence of unseen visitors from the spirit world and asked God to bless both the

living and those they said had "journeyed to the spirit camp on the Other Side."

The day's feast began with the feeding of the spirits. Binal McCloud, Joe Bill and others prepared paper plates with morsels of the favorite foods of dead family members and friends. The plates then were taken to the fire and offered as a remembrance to the deceased.

After a dinner of both baked and smoked salmon and venison, the bride and groom cut and shared their wedding cake, four tiers decorated with feather designs and topped with Indian dolls in ceremonial dress. As in non-Indian wedding traditions, the top layer was set aside to be frozen and eaten on the couple's first anniversary.

A giveaway followed. Members of the Northwest Indian Women's Circle distributed sacks of toys and other gifts to the children and gave the adult guests jewelry, shawls, fruit and other presents.

After darkness, six of the women walked through a wooded area beyond the arbor to a dome-shaped, canvas-covered sweatlodge with a central fire pit. Teshay Shippentower, granddaughter of Janet McCloud, tended a nearby fire and heated the rocks for the sweat. The women undressed in the darkness, hung their clothing on tree branches, and wrapped in towels, made their way into the blackness of the sweatlodge.

The glowing rocks were placed in the center pit, and the door flap was closed, engulfing the group in darkness. McCloud sang a coastal Indian song and used a cedar bough to dip water from a bucket, splashing it onto the rocks to create clouds of steam.

McCloud endorsed the cleaning power of sweat, calling it a good way to purify one's body and mind in preparation for the return of spring.

Shortly before 8 p.m., the group gathered again around the fire, which had burned since early in the day, to light a Yule log of western red cedar and welcome the return of longer days. Other Women's Circle members living in North Dakota and New York were conducting similar ceremonies at the same time, leaders said.

At the conclusion of the ceremony, a stillness settled over the group, and people lingered around the fire. Then, slowly they drifted away toward their cars, as a lone fire-tender stayed behind to keep the Yule fire burning through the night.

(Reprinted from The News Tribune, Tacoma, Washington)

Cross Cultural Communications Center established

Director Michael J. Fox of The Heard Museum, Phoenix, Arizona, announced the establishment of the Center for Cross Cultural Communication in honor of Barry M. Goldwater which will be housed at the Museum, the leading private institution of anthropology and primitive art in the Southwest.

The Center for Cross Cultural Communication, according to Director Fox, "will be based on the fundamental belief that the diversity of world cultures is a cause for celebration and for continuation. Cultural diversity can also be a cause of tension, and it is in the spirit of finding ways to bridge cultural boundaries with different forms of communication that the Center is being formed in honor of Barry M. Goldwater, a longtime friend of the Native American and The Heard Museum.

The Center will provide a way for individuals and groups with varied backgrounds such as academics, writers, film and video producers, performing and visual artists, tribal elders, cultural representatives and historians to communicate their ideas to the public through written material, audio texts such as oral histories, still photography, and through films and videos. Additionally, the Center's computer-video system will allow researchers access to information about the 75,000 objects in The Heard Museum's collections.

Former Senator Goldwater has said, "the proposal concerning the Center for Cross Cultural Communication has thrilled me more than anything I can remember. I have never felt that my name should remain on anything with the exception possibly of a marker. But to have you suggest that it be connected with an institution to record and store all the creative cultures, languages and so forth that we have around us today is something that thrills me completely. I am grateful to The Heard Museum."

The cross-cultural emphasis of the Center will encourage inquiry into the nature of cultural distinctiveness, and how cultural boundaries are drawn, maintained and how they relate to each other. The Center will also be concerned with how traditions are passed from one generation to another, how the present can be interpreted through the past, and how common concerns can bridge cultural boundaries.

Director Fox feels also that the Center "could become a place where representatives from groups with different views could meet on 'neutral territory' to discuss differences. By bringing individuals from different backgrounds together in an atmosphere of mutual respect, the Center can become a catalyst for new avenues

of understanding."

The Center will communicate through various publications, lectures, conferences, media productions and other means to its varied audiences. Its first publication will be a quarterly magazine titled *Native Peoples: A Journal of The Heard Museum*.

The Center for Cross Cultural Communication will be a new Special Program Division of The Heard Museum, 22 East Monte Vista Road in Phoenix.

Louisiana reveals 1,000 year culture existed

Archaeologists excavating in south Louisiana (Pecan Island) have uncovered what they believe are the remnants of a 1,000-year-old Indian mound, the largest ever found along the Louisiana and Texas coasts, researchers report.

The significance of the site is that it is the largest mound site of the time, about 500 to 900 A.D., and this is the largest mound site from that time along the coastal region from the mouth of the Mississippi to the Texas border," according to Jeffrey Brain, a researcher at the Peabody Museum at Harvard University.

The mound yielded evidence of agriculture and the type of food eaten by the early Indians — including turtle, alligator, fish and deer, said Gary Theall, president of the Vermilion Historical Society.

Fragments of human bones, earthenware, fine pottery and tools made from bone also were found, he said.

The excavation showed the area had had a large population and apparently traded or had contact with people from other parts of the continent because researchers found at the site fragments of pottery from Florida and spots further up the Mississippi River, Mr. Brain said.

There were no indications, however, that the mound dwellers traveled freely themselves, he said.

"We feel these were local people who had dealings with these other people (from other parts of the country)," he said. "There has been evidence of long distance trade in the southeast going back hundreds of years."

Ian Brown, an archaeologist at Harvard, performed a test excavation of the site in 1979 and the latest excavation, performed by Rick and Diane Fuller of Mobile, Ala., began in August and was completed last month.

Items found at the mound have been sent to a laboratory in Mobile for further study.

"Archaeology is more than excavation," Mr. Brain said. "The excavation is just the first step. Then we go to the lab and investigate. The analysis is prepared with other data."

National Native News

Anti-Treaty Network to address concerns

The Wisconsin Indian Resource Council, the Great Lakes Inter-tribal Council and the Great Lakes Indian Fish and Wildlife Commission will co-sponsor a conference to address the concerns generated by the activities of the Anti-Treaty Network, according to a spokesman for the La Courte Oreille Tribe.

The theme of the conference will be "Educating and Networking for a Better Relationship," said Paul DeMain, an information coordinator for the tribe.

Speakers have been invited from the National Indian Lutheran Board, the Governor's Interstate Indian Council, the Great Lakes Indian Fish and Wildlife Commission, the Wisconsin Indian Education Association, the National Congress of American Indians and the National Tribal Chairman's Association.

Among the topics to be covered are: the state and treaty issues, state and intertribal relationships and networking to oppose the Anti-Treaty Network, said DeMain.

The conference will occur on March 27 and 28 at the Howard Johnson's Motor Lodge in Warsaw, Wisconsin.

Also scheduled to occur at the motor lodge during the same week (March 28 and 29) is the Anti-Treaty Network Conference, sponsored by the Protect America's Rights and Resources group.

The PARR conference will be attended by network members from 17 different states and among the keynote speakers will be members from the National Rifle Association, who will outline a treaty abrogation bill for which they are seeking support.

U.S. Constitution has roots in Indian philosophy

The stir of attention given to the 200th anniversary of the United States Constitution has caused many scholars to examine its beginnings and possible influences from other bodies of law already existing in the world at the time of its inception.

Education about the Constitution is becoming the main thrust of the Commission

on the Bicentennial of the United States Constitution, headed by former Chief Justice of the United States Warren Burger.

A small but growing movement of Indian professionals, academics and community leaders has staked

out ground within the anniversary celebrations also, as a way to point out the origin of the U.S. Constitution in American Indian political philosophy.

Distinguished luminaries such as Oren Lyons, Susan Shown-Harjo (NCAI), John Mohawk, Vine Deloria, and Professors Don Grindle and Bruce Burton are actively speaking on the subject and polishing articles on ramifications of the research. Their mission is to determine the Native American origins of the Constitution.

Among other Bicentennial activities, Constitutional amendments might be proposed by Congress or by a convention called on application of two thirds of the state legislatures. An amendment requires three fourths of state legislatures.

Many persons wonder whether the Constitution, with all its flexibility and strength, is equipped to cope with the demands exerted upon it by modern day demands.

"We're hoping that there will be hearings in both houses of Congress about the political structure," said Lloyd N. Cutler, former counsel to President Carter.

Cutler's group, the Committee on the Constitutional System, has examined several questions: Has separation of powers produced a government so divided and incohesive that deficits cannot be reduced? Has the ability to devise and administer a coherent public policy diminished? Does a series of damaged Presidencies show something is structurally wrong?

Among the Indian intellectuals, the questions might well be more along the lines of: What were the prevailing political systems in Europe at the time of contact? What were the political systems like among the Northeastern Indian nations that confronted the early colonies? What does the literary record of

the early 1600's say about French, English and colonial curiosity and commentary on Indian culture and political systems? How much did the Native concepts impact the Americanizing of the European settlers?

"The Iroquois, or Six Nations Confederacy, gave the colonists the model system for their new government of democracy," says Susan Shown Harjo, Washington Indian lobbyist and Executive Director of the National Congress of American Indians (NCAI).

Oren Lyons, an Onondaga chief who sits on the current Six Nations traditional government, agrees. The Onondagas, located just south of Syracuse, are the capital nation of the Iroquois Confederacy composed of Mohawks, Senecas, Oneidas, Cayugas and Tuscaroras. Lyons, a

professor at the State University of New York, points out the similarity of the three-sided Iroquois government and the three-chambered U.S. system.

Bruce Burton, a professor at Castleton College in Vermont, points out Benjamin Franklin's record as keeper of the treaties for Pennsylvania. Franklin's Plan of Albany (1754) is the precursor to the Constitution, according to an article by Burton published in Cornell University's Northeast Indian Quarterly. "The record bears it out," Burton says.

"Franklin paid close attention to the unity principles of the League (Confederacy). He wrote about them, he exhorted his colleagues to emulate them, he learned from them."

Burton said he hopes people will learn about the Indian origins of the American government during the bicentennial year.

Nez Perce purchase Northern Idaho lands

Northern Idaho timber and pasture land, totaling 78,000 acres near Winchester, will come under Nez Perce tribal management, according to tribal officials.

"It's a milestone," said J. Herman Reuben, chairman of the tribe's executive committee. "The game isn't over yet. This is only the first step, and it will be with us for a long time to come."

The \$900,000 land purchase deal, which was announced last month, came after long negotiations between the tribe, the Bureau of Indian Affairs and banking and real estate officials.

Thorpe medals presented to state

The five surviving children of Jim Thorpe, the Sac and Fox and Potawatomi Indian who was voted the greatest athlete of the 20th century, donated his Olympic gold medals to the state of Oklahoma.

Jim Thorpe attended school in Haskell, Kansas and then went to Carlisle Institute where he began his sports career under Glenn S. "Pop" Warner. Thorpe was named twice to All-American teams, scoring 72 touchdowns while playing for Carlisle. He also excelled in track and field.

Thorpe won the decathlon and pentathlon medals in the 1912 Olympics in Stockholm, Sweden, but had to give them up when it was learned he played semi-professional baseball before he participated in the games. The United States Amateur Athletic Union ordered Thorpe to give the medals and trophies back, a decision Thorpe's children have

fought since the early 1950s.

After the Olympics, Thorpe went on to play professional football and baseball. He helped to organize the National Football League and became the league's first president.

Thorpe died on March 28, 1953 and is buried in Jim Thorpe, Pennsylvania.

The International Olympics Committee revealed the AAU's decision and awarded the medals to Thorpe's children, reinstating his honors.

"My father would be proud of what we are doing here today," said Richard Thorpe, one of Thorpe's children, at the

ceremonies giving the Oklahoma Historical Society possession of the two gold medals.

Coors donation to assist Native American population

Hospitals that serve Native Americans in some of the country's most rural areas will benefit from a recent donation by Adolph Coors Company to Arrow, Inc. — a non-profit organization established to address critical concerns by the country's Native American population.

The \$5,000 donation by Coors will be used to recruit, screen and place qualified volunteer physicians and registered nurses in hospitals that serve the Sioux population in Montana, North Dakota and South Dakota.

According to Tom Colosimo, Arrow's executive director, a number of rural hospitals have had to reduce services due to lack of funds and personnel. Coors' contribution will pay for travel, food, lodging and incidental expenses of several nurses who have agreed to donate their time to the hospitals.

June Lawry, a volunteer registered nurse who recently returned from the Indian Health Service Hospital in Keams Canyon, Ariz., says her nursing skills were used to instruct Native American parents on healthy growth and development patterns for their children and the need for continuing health education. "Arrow's program is really needed by these rural-area hospitals. They depend on volunteer support to provide critical assistance to their regular hospital staff," Lawry said.

Coors is a leading corporate sponsor of Native American Programs and supports many other programs like Arrow, such as The American Indian Scholarship Foundation and the Save the Children Diabetes Obesity Prevention program for Salt River Pima Indians.

Council fires rekindled

According to a news report in *The Lakota Times*, Indian council fires are burning once more across America.

After more than a century of being split and herded onto reservations where splinter groups were powerless to do battle with the federal bureaucracy, tribal leaders are once more finding unity in one voice.

This new voice for Native Americans is called the Alliance of American Indian Leaders (AAIL) which met for only the second time in conference at the Hilton Hotel in Rapid City, S.D. Jan. 28 through 30.

The AAIL wants the U.S. Congress to sit down and listen to them.

Born less than two months ago during a Kansas City, Mo., meeting called by Roger Jourdain, chairman of Red Lake Band of Chippewa, and Wendell Chino, president of the Mescalero Apache Nation, the AAIL was formed to bring Indian issues to the nation's attention during the 1987 Bicentennial Celebration of the United States Constitution.

The AAIL's goal is nothing less than the recognition by Washington and other world governments of the constitutional rights of Native Indian people as sovereign nations.

To this end, Rapid City conference co and/or chairmen Chino and Jourdain agree they want a hearing before the U.S. Congress on Indian nation sovereign rights.

"President Reagan gave his State of the Union speech on television to the American people, but nowhere in it did he speak for the Native American people," Mescalero Apache President Chino said.

Chippewa Chairman Jourdain agrees with Chino. "We want our voice heard in Congress. We want our voice heard by Indians and non-Indians alike," Jourdain said.

The two founders of the Alliance offered a five-point program for AAIL members' approval and urged that their recommendations become goals for the tribal leadership group's

1987 campaign on constitutional rights. The five points they outlined are: 1. called for oversight committee hearings in both the Senate and House of Representatives on the unique sovereign status of Indian nations; 2. asked the Senate and House to introduce concurrent resolutions recognizing the correct constitutional relationship of the federal government to Indian tribes; 3. urged establishing a congressional seat for a non-voting Native American Indian representative to be elected by members of Indian tribes; 4. recommended election of the Bureau of Indian Affairs to presidential cabinet level

position; and 5., called for a reduction in the layers of bureaucracy in the administration of federal Indian affairs.

All five recommendations were adopted by AAIL delegates.

In addition, Chino and Jourdain called for investigations into housing problems both on and off reservations, economic development tribal leadership failures, state gambling laws, and for a probe into the BIA "for not functioning for the benefit of Indians." Studies on these latter topics were called for but no vote by AAIL delegates was asked on them.

Jourdain challenged AAIL members to see that "not only congressional treaties and supreme rulings be upheld, but that Indian oral history, customs and traditions be legally upheld as well." He called for a "Native American Indian State of the Nation" address to the American people much the way President Reagan was allowed to give his State of the Union address.

AAIL will bring its campaign to the public during the next several months, program director Melanie Olivero said. An international symposium "In Search of a More Perfect Union: Native Americans and the U.S. Constitution," will be held in Philadelphia, Pa., Oct. 1 to 4, the weekend before the U.S. Supreme Court is scheduled to meet there in special session.

Meanwhile, AAIL administrative staff has been instructed to begin a mass media campaign to bring its message to the public, including mail brochures, television and newspaper releases, radio talk shows, group meetings with other Indian organizations, and more studies to be done in cooperation with Native American Rights Fund, Indian Rights Association, university Indian studies departments and other friendly groups.

Oliviero said "multiple examples of U.S. dishonor" in its dealings with Indians are "well known among tribes and their supporters." But, she said, most Americans have "very little" accurate information on the issues.

"This U.S. Constitution celebration year provides a vehicle to bring factual information about the very fundamental aspects of Indian tribes' relationship to the federal government into the public arena on a nationwide scale for the first time," Oliviero said.

Chino and Jourdain will continue holding conferences across the country to attract more Native American leaders into their council Alliance of American Indian leaders.

"The old council fires never did really burn out," Chino insists. "You fan them a little and they burn bright again."

He believes that with this new voice for Native Americans, the council fires will burn again, all the way to Washington, D.C. and into the halls of Congress.



Last Year's Record Broken In Houston

Potawatomi from the Houston, Texas area have done it again! They broke last year's Regional Council attendance record by 100 percent, with 200 people attending this month's meeting. Medicare/Medicaid supplemental insurance, a solution to the blood degree problem and group health insurance all figured prominently in the Houstonians' priorities. Top: Chairman John Barrett honors Regina Turley for traveling all the way from Montana for the meeting; Middle: Councilman Bob Davis addressed tribal members' concerns regarding tribal scholarship and prosthetics programs; Bottom: Cecil Ogee Powell was honored by the Chairman as Council Elder.

A Letter From Ross Swimmer

(The following letter was written by Department of the Interior Assistant Secretary for Indian Affairs Ross Swimmer)

I recently reviewed an article which appeared in the November 1986 issue of *Sports Afield Magazine* entitled "Indian rights: a conservation crisis." The unbalanced and distorted nature of the article is unfortunate, and prompts us to take this opportunity to apprise you of the many initiatives which have been undertaken by Indian tribes throughout the country in managing this nation's Indian fish, wildlife and outdoor recreation resources.

Generations of Native Americans have developed lifestyles, cultures, religious beliefs and customs around their relationships with fish and wildlife resources. Historically, these resources provided food, shelter, clothing and tools, and were traded for a variety of goods. They continue to provide a base of sustenance, cultural enrichment and economic support for many tribes, and help maintain tribal social structure and stability by permitting gainful employment in traditional and desirable operations.

RECREATION: Indian reservations throughout the country contribute significantly toward meeting the growing national demand for outdoor recreation, accounting for millions of public use days annually in such activities as fishing, hunting, camping, whitewater rafting, hiking, mountain climbing, wilderness travel, off-road motoring, skiing, spectator sports events and numerous other leisure pursuits. They provide habitat critical to the recovery of threatened and endangered species such as the bald eagle, peregrine falcon and grizzly bear, and necessary for the conservation of other nationally significant fish, big game, migratory bird and other populations. More than 50 tribal fish production facilities rear in excess of 60 million salmon, steelhead trout, walleye and other species annually, creating numerous and diverse sport fishing opportunities. In recent years, tribal hatcheries have accounted for approximately 25 percent of the steelhead and 17 percent of the salmon released into western Washington waters.

RESOURCE MANAGEMENT: Tribes are responding to the modern-day challenges of multi-jurisdictional resource management, often turning to their trustee, the Bureau of Indian Affairs, for assistance in developing the professional expertise and multi-disciplinary competence needed to effectively manage comprehensive fish, wildlife and outdoor recreational resource programs. Tribes have developed professional staffs and capabilities to manage, conserve and develop fish, wildlife and outdoor recreation resources on much of the more than 50 million acres of trust land nationwide. More than 800 tribal biologists, statisticians, hydrologists, law enforcement officers, administrative personnel and other professionals throughout the United States participate in the development and implementation of a variety of population, habitat and harvest management programs. As their management roles evolve further, tribes will continue advocating for the resources upon which the exercise of Indian hunting and fishing rights depend, thereby adding a loud voice to the chorus calling for environmental safeguards and resource conservation.

TREATY RIGHTS AND RESPONSIBILITIES: Responsibilities and roles of tribes in managing fish and wildlife resources, and the use of Indian treaty rights as a tool in protecting these valuable resources are not widely understood. Tribal roles emanate from treaties signed with the Federal Government through which tribes, in exchange for ceding to the United States vast tracts of land, reserved to themselves rights to hunt and fish on established reservations and on certain ceded areas in perpetuity. Through various rulings, courts have reaffirmed treaty hunting and fishing rights and have identified tribal roles and responsibilities associated with the continued exercise of such rights. The scope of tribal responsibility assigned through court order and statute varies by treaty area, dependent upon specific language contained in the authorizing instruments.

In the absence of a specific treaty provision or federal statute, tribes retain authority over hunting and fishing activity of their members and jurisdiction over fish and wildlife resources on Indian reservations. State jurisdiction over on-reservation tribal hunting and fishing generally requires express federal statutory authorization and may only occur for resource conservation purposes. Tribal authority over non-Indian hunting and fishing on reservations may be exclusive, nonexistent or concurrent with a state, depending on the status of reservation land and other factors. Tribal authority to regulate off-reservation hunting and fishing by tribal members and tribal involvement in managing fish and wildlife resources in ceded areas results largely from court rulings and court-ordered consent decrees. Statutory authorities from which tribal roles and responsibilities emanate include the Pacific Salmon Treaty Act of 1985, the Pacific Northwest Electric Power Planning and Conservation Act of 1980, the Salmon and Steelhead Conservation and Enhancement Act of 1980 and the Fishery Conservation and Management Act of 1976.

-MANAGEMENT: Reaffirmation of fishing rights of western Washington and Columbia River Basin treaty tribes and recognition of tribal management status in addressing salmon and steelhead trout resources of the Pacific Northwest has accelerated the development of tribal fisheries programs in the region during the last decade. Under stringent standards prescribed by Federal Courts, these resources and the Indian right to utilize them are managed through complex programs coordinated among the affected resource management jurisdictions, directed at assessing annual stock abundance, allowable harvests and stock recruitment parameters of important populations. The presence of terminal net fisheries for salmon and steelhead trout, coupled with the court-ordered standards of management provide a consistent and convenient source of timely management information. Data from tribal fisheries are commonly employed as a basis for determining the size of the returning runs as well as their composition in terms of age, origin, and sex.

NORTHWEST COMMISSIONS: To address collective tribal management responsibilities, the western Washington tribes established the Northwest Indian Fisheries Commission (NWIFC) in 1975, and the Columbia River tribes formed the Columbia River Inter-Tribal Fish Commission (CRITFC) in 1977. Commission staffs and member tribes promote "gravel-to-gravel" management of anadromous salmonids and participate in the restoration of naturally-reproducing stocks that have been depleted through habitat alteration and overharvest.

Tribes affiliated with the NWIFC, fish on limited stretches of about 25 river systems in western Washington. Prior to the start of each fishing season, tribal managers and biologists of the Washington Departments of Game and Fisheries jointly project numbers of harvestable salmon and steelhead trout which will return to each of the river systems. Tribal managers promulgate regulations covering the Indian treaty fisheries and tribal officers patrol the rivers to enforce the regulation. Through the Treaty Indian Catch Monitoring Program, harvest is monitored daily throughout the season to ensure that the treaty allocation is not exceeded. Indian catches are reported via landing ticket systems designed to provide an accurate count of the number of fish taken. Data gathered

assist in assessing run sizes. After the fishing seasons, tribal managers survey the rivers to estimate spawning escapements.

The CRITFC staff of hydrologists, biologists, law enforcement officers and administrative personnel devote substantial effort toward rebuilding Columbia River Basin Salmon and steelhead trout runs that have been depleted by overharvest, habitat degradation and hydropower and flood control development. They coordinate with operators of the 13 mainstream Columbia River and Snake River dams to facilitate upstream and downstream fish passage and have been designated coordinator for the tribes in jointly managing the Columbia River Water Budget, an allocation of water released in such a way so as to minimize mortality of migrating juvenile salmon and steelhead trout. The CRITFC Enforcement Program employs a full-time staff of 15 patrol officers and dispatchers to enforce tribal fishing regulations.

Involvement of the 24 treaty tribes affiliated with the NWIFC and CRITFC in international co-management arenas occurs through representation of the Pacific Salmon

'More than 50 tribal fish production facilities rear in excess of 60 million salmon, steelhead trout, walleye and other species annually, creating numerous and diverse sport fishing opportunities'

Commission and associated panels and technical committees created by the United States-Canada Pacific Salmon Treaty and implementing legislation of 1985. The purpose of these instruments is to promote the conservation, rational management, optimum production and equitable allocation of Pacific salmon stocks originating in North America. In addition to the four Native Americans represented on the Pacific Salmon Commission and Southern and Fraser River Panels, and their four alternates, seven Indian representatives have been appointed to the Chinook, Coho, Joint Chum and Coded-Wire Tag technical committees.

In northern California, the Hoopa Valley Tribe conducts fisheries investigations, monitors harvest and implements fisheries enhancement programs in the Trinity River Basin, and participates on the multi-agency Klamath River Salmon Management Group formed in 1985 to address a number of concerns involving Klamath River salmon. The Klamath Tribe of Southern Oregon retains hunting, fishing, and gathering rights under the Treaty of 1864, and shares responsibility for the conservation and management of fish and wildlife resources on 1.1 million acres of former reservation. The Confederated Tribes of the Warm Springs Reservation in Oregon operate a resort complex featuring an 18-hole golf course, mineral-rich pools, camping and horseback riding.

COTFMA-GREAT LAKES: Reaffirmation of treaty rights of the Sault Ste. Marie Tribe, Bay Mills Indian Community and Grand Traverse Band of Chippewa/Ottawa Indians in Michigan resulted in the creation of the Chippewa/Ottawa Treaty Fishery Management Authority (COTFMA) in 1981 to provide uniform joint regulations governing tribal fishing activities and to coordinate initiatives regarding enhancement of the fishery. The Authority is kept apprised of technical fishery matters through the joint Inter-Tribal Fisheries and Assessment Program. Personnel associated with this program carry out population assessment and research studies, recommend harvest quotas, prepare data for negotiations and coordinate with tribal, state, Federal and academic biologists throughout the Upper Great Lakes Area. A joint biological committee, The Technical Fisheries Review Committee, consisting of biologists from the Inter-Tribal Fisheries and Assessment Program, the State of Michigan and the U.S. Fish and Wildlife Service, jointly assesses the status of important fish stocks and develops Total Allowable Catch levels (TAC's) for selected species in the treaty ceded waters. The Committee summarizes population and harvest data from all sources to provide a common data base for management, as the TAC's are used by both the States of Michigan and the Management Authority in regulating fisheries. A March 1985 negotiated settlement of the long-standing United States v. Michigan litigation imposes additional management responsibilities on the tribes, prescribes fisheries harvest zonation plans for Lakes Superior, Michigan and Huron and provides for fisheries enhancement efforts, expanded tribal conservation enforcement programs and a comprehensive lake trout management effort.

The chairman of the COTFMA is a member of the Great Lakes fishery Commission's Committee of the Whole, comprised of fishery resource agency administrators representing all states and provinces bordering on the Great Lakes. The Director of the Inter-Tribal Fisheries and Assessment Program represent COTFMA on the Lake Huron, Lake Michigan and Lake Superior committees of the Commission, established in 1956 by the United States and Canada to coordinate management and research of Great Lakes fisheries resources and support sea lamprey control efforts. He also participated in various other Commission forums and technical committees.

GLIFWC: In 1982, six bands of Lake Superior Chippewas possessing commercial fishing rights on the Great Lakes formed the Great Lakes Indian Fisheries Commission. Following reaffirmation of the reserved rights of several bands of Lake Superior Chippewas to hunt, fish, trap and gather on public lands and waters ceded to the United States under the Treaties of 1837 and 1842, the "Voigt" tribes, in 1984, merged with the Great Lakes Indian Fisheries Commission forming the consolidated Great Lakes Indian Fish and Wildlife Commission (GLIFWC). This most recent of the four inter-tribal organizations

comprises 11 member tribes in Wisconsin, Minnesota and Michigan, and supports a staff divided into Biological Services, Conservation Enforcement, Public Information, Inter-governmental Affairs, Judicial Services and Administration divisions.

Fish and Wildlife resources of greatest importance to the Chippewa people include the walleye, muskellunge, lake whitefish, lake trout, white-tailed deer and a variety of waterfowl and furbearer species. Naturally occurring wild rice is also held in high esteem. To manage these resources, Biological Services staff of the GLIFWC develop data bases, recommend harvest levels, monitor harvest and its impacts, and, in conjunction with tribal biologists, fulfill a variety of other technical assistance needs. They also participate in endangered species recovery efforts, work to improve the understanding of Lake Superior community dynamics and cooperate in impact assessment studies relating to nuclear waste, mining and toxic contaminants.

Tribes affiliated with the GLIFWC and COTFMA and other tribes in the Great Lakes states have developed professional staffs and programs to address fish and wildlife resource issues on their respective reservations. The Red Cliff Fisheries Department conduct special investigations and compiles annual commercial fishery statistics on Lake Superior fisheries in cooperation with the State of Wisconsin and U.S. Fish and Wild-

life Service. Lac du Flambeau tribal fish and wildlife biologists operate a fish hatchery which has produced as many as 30 million walleye and muskellunge fry annually over the past 40 years, and conduct a variety of fish and wildlife studies and surveys. Other tribes actively engaged in fish production, rearing and stocking operations include the Bad River Tribe in Wisconsin and Leech Lake, White Earth and Red Lake Tribes in Minnesota. The Leech Lake Reservation with its 232 lakes totalling over 274,000 acres, Red Lake Reservation with its 241,000 acres of lakes, and other reservations in Wisconsin and Minnesota provide some of the best sport fishing in the Country. The Red Lake Tribe also maintains a 7,000-acre wildlife refuge on the reservation serving such species as the endangered bald eagle, as well as a variety of waterfowl, furbearers, big game and other wildlife.

SOUTHWEST: Tribes located in the Southwest have developed a broad array of fish, wildlife and outdoor recreation programs. The White Mountain Apache Game and Fish Department manages over 400 miles of streams and 25 lakes, and issues camping, fishing, hunting, cross-country skiing and back-packing permits on the picturesque Fort Apache Indian Reservation in Arizona. A modern resort and vacation complex on the Mescalero Apache Reservation in New Mexico features an 18-hole championship golf course, tennis, skeet and trap shooting, sailing, fishing, horseback riding and one of the largest ski areas in the Southwest. The Ute Indians of Northeastern Utah operate a resort featuring a variety of water activities including swimming, fishing, sailing, windsurfing and water skiing.

Biologists of the Pyramid Lake Fisheries Restoration Program in Nevada operate three fish hatcheries and conduct investigations to assist in the management of the endangered cui-ui lake sucker and formerly endangered Lahontan cutthroat trout. The relatively pure strain of Lahontan cutthroat occurring on the Summit Lake Reservation, Nevada, also receives management assistance. Through a program administered by the Ute Fish and Game Department in Colorado, populations of mule deer, elk, antelope, big horn sheep, moose and other fish and game species are monitored to assess the impacts of mineral exploration, oil and gas development and surface mining activities.

Reservations located in the Southwest, notably the Fort Apache, San Carlos, Hualapai, Jicarilla, Mescalero, Zuni and southern Ute Reservations, offer trophy hunts for such species as elk, big horn sheep, mule deer, whitetail deer, black bear, antelope, mountain lion and javelina. These and other reservations also provide diverse hunting opportunities for waterfowl, turkey and a variety of small game species.

Fish hatcheries located on the Fort Apache and Mescalero Reservations raise approximately two million rainbow and cutthroat trout annually for stocking on numerous reservations and pueblos in Arizona, New Mexico and Colorado. The Navajo Nation

completed construction of a fish hatchery in 1984 to help address stocking needs on its reservation. Other tribes in the Southwest are developing plans for expanding their fish rearing and stocking capabilities.

Fishing, camping and other recreational resource programs and facilities have been developed on the Tule River, La Jolla, Viejas and Pala Reservations in Southern California, on the Duck Valley and Walker River Reservations in Nevada, on the Papago, Salt River, Fort McDowell and Colorado River reservations in Arizona, on numerous of the New Mexico pueblos, and on other reservations throughout the Southwest. Many tribes in the region are interested in expanding their recreational resource development and public use programs.

GREAT PLAINS: Indian reservations in the Rocky Mountain and Great Plains regions offer numerous and diverse fishing, hunting and outdoor recreation opportunities. The Flathead and Blackfeet Reservations in Montana and Wind River Reservation in Wyoming are among the most picturesque in the country. Collectively, they include approximately 430 lakes and 220 streams comprising nearly 90,000 acres and 2,100 miles, respectively. They support hundreds of fish, bird and mammal species, including several listed as threatened or endangered.

The Confederated Salish and Kootenai Tribes of the Flathead Reservation, through their Department of Fish and Wildlife Conservation, participate in recovery efforts involving the endangered grizzly bear and bald eagle, in instream flow studies on the Flathead River below Kerr Dam, in big game aerial surveys, in the management of the popular Flathead Lake fisheries, and in numerous other fish and wildlife investigations. Approximately 4,500 acres of the Flathead Reservation set aside as a wildlife refuge supports as many as 200,000 waterfowl annually. The Blackfeet, Fish, Wildlife and Parks Department administers a recreational program involving fishing, boating, camping, waterfowl and upland bird hunting, snow-mobiling and cross-country skiing, and participates in a variety of fish and wildlife management activities. To protect and enhance wildlife populations on the Wind River Reservation, the Shoshone and Arapahoe

Tribes have restricted hunting by non-tribal members, and the Bureau, in 1984, implemented a game code regulating tribal hunting.

The Lower Brule Wildlife Department of the Lower Brule Sioux Reservation in South Dakota administers a public fishing program and a hunting program for deer, antelope, waterfowl and upland birds, featuring trophy hunts for elk and buffalo. Other fishing, hunting and outdoor recreation opportunities are provided through the Oglala Sioux Parks and Recreation Authority on the Pine Ridge Reservation in South Dakota, and on many other reservations in the rocky Mountain and Great Plains regions, including the Crow, Northern Cheyenne River, Crow Creek, Rosebud and Yankton Sioux reservations in the Dakotas.

EASTWARD: The Cherokee Reservation in North Carolina offers mountain scenery, excellent trout streams, miles of scenic trails and plentiful facilities for camping, picnicking and other recreational pursuits. Anglers from all 50 states and several foreign countries have fished Reservation waters in recent years, contributing well over \$1 million annually to the local economy. The Reservation and its environs are enjoyed by more than five million tourists each year. Working through the Cherokee Fish and Game Management Enterprise, the Eastern Band of Cherokee Indians completed construction of a fish hatchery in 1984 capable of producing 300,000 pounds of trout annually.

The Penobscot and Passamaquoddy Tribes are developing and implementing fish and wildlife resource programs on large tracts of lands in the State of Maine. Big game hunting and furbearer trapping opportunities are offered to the public through special permit, and excellent coldwater fisheries are available.

Flood control and irrigation canals on the Brighton and Big Cypress Seminole Reservations and the Miccosukee Reservation in Florida supports fishing, frogging and other warm water fishing activities. The Miccosukee Tribe has developed a cooperative

hunting program with the State of Florida. Fishing opportunities on more than 3,600 acres of the Allegheny Reservoir in southwestern New York are provided through the Seneca Nation of Indians. The Narragansett Tribe in Rhode Island is currently developing a wildlife program, and Choctaw lands in Mississippi are open to the public through permit.

Fisheries resources of the Annette Islands Reserve in southern Alaska, notably salmon, herring and halibut, provide the mainstay of the Metlakatla Indian Community's economy. Approximately 150 people work as skippers and crew in the salmon fishery, and the community-owned packing company cannery and cold storage employs up to 500 people at the height of the fishing season. The Community-built Tamgas Creek Fish Hatchery has the capacity to incubate 20 million eggs and rear four million salmon to yearling size. The Community develops annual fishery management plans, monitors harvest and escapement and engages in various habitat enhancement activities.

The primary mechanism through which the Federal Government funds programs to fulfill tribal fish and wildlife management responsibilities is the Fish, Wildlife and Recreation Program administered by the Bureau of Indian Affairs. The goal of this Program is to fulfill and execute the Federal government's trust responsibility relating to fish, wildlife and recreational resources that are important to the sustenance, cultural enrichment and economic support of Indians, including protection of Indian hunting and fishing rights, and to promote the conservation, development and utilization of these resources for the maximum benefit of Indians now and in the future. Many tribes recognize the potentials of their fish, wildlife and outdoor recreation resources for creating jobs, generating revenue and improving reservation economies, and are supplementing federal funds with large amounts of their own financial resources to develop and implement successful programs.

Effective fish and wildlife resource management requires building upon the inter-party dialogue which has evolved in recent years, and in nurturing the cooperative spirit which has recently been displayed by resource decision-makers. Coordinated action coupled with the use of Indian hunting and fishing rights as tools to address the many threats facing this nation's fish and wildlife resources must be given serious consideration as the preferred strategy for serving the fish and wildlife resource needs of society.

We invite you to contact this office if you desire further information about the management of this nation's Indian fish, wildlife and recreational resources.

Sincerely,
Ross A. Swimmer
Assistant Secretary Indian Affairs

Broken Promises

The United States of America do also receive into their friendship and protection, the nations of the Pattiwatimas and Sacs; and do hereby establish a league of peace and amity between them respectively; and all the articles of this treaty, so far as they apply to these nations, are to be considered as made and concluded in all, and every part, expressly with them and each of them.

If any person or persons, citizens or subjects of the United States, or any other person not being an Indian, shall presume to settle upon the lands confirmed to the said (Indian) nations, he and they shall be out of the protection of the United States; and the said nations may punish him or them in such manner as they see fit.

Excerpted from a Treaty signed by the Potawatomi on January 9, 1789 at Fort Harmar, Northwest Territory.

...The Indian tribes who have a right to those lands, are quietly to enjoy them, hunting, planting and dwelling thereon so long as they please, without any molestation from the United states; but when those tribes, or any of them, shall be disposed to sell their lands, or any part of them, they are to be sold only to the United States; and until such sale, the United States will protect all the said Indian tribes in the quiet enjoyment of their lands against all citizens of the United States, and against all other white persons who intrude upon the same. And the said Indian tribes again acknowledge themselves to be under the protection of the said United States and no other power whatever.

If any citizen of the United States, or any other white person or persons, shall presume to settle upon the lands now relinquished by the United

States (to the Indians) such citizen or other person shall be out of the protection of the United States; and the Indian tribe, on whose land the settlement shall be made, may drive off the settler, or punish him in such manner as they shall think fit; and because such settlements made without the consent of the United States, will be injurious to them as well as to the Indians, the United States shall be at liberty to break them up, and remove and punish the settlers as they shall think proper, and so effect that protection of the Indian lands herein before stipulated.

The said tribes of Indians, parties to this treaty, shall be at liberty to hunt within the territory and lands which they have now ceded to the United States, without hindrance or molestation, so long as they demean themselves peaceably, and offer no injury to the people of the United States.

Excerpted from a Treaty signed August 3, 1795 at Greenville by the Potawatomi.

The tribes and bands ... engage to give their aid to the United States in prosecuting the war against Great Britain, and such of the Indian tribes as still continue hostile; and to make no peace with either without the consent of the United States. the assistance herein stipulated for, is to consist of such a number of their warriors from each tribe, as the president of the United States, or any officer having his authority therefore, may require.

In the event of a faithful performance of the conditions of this treaty, the United States will confirm and establish all the boundaries between their lands...as they existed previously to the commencement of the war.

Excerpted from a Treaty signed by the Potawatomi July 22, 1814 in Greenville, Ohio.

The Bourbonnais of Kankakee

Editor's Note: The HowNiKan is grateful to author Vic Johnson and the Kankakee, Illinois Sunday Journal for reprint rights on the following article.

In 1833, one family - the Bourbonnais - owned most of the land on which the city of Kankakee now stands.

Catfish, the Potawatomi wife of Francois Bourbonnais Sr., her son Washington, and Maw-te-no, daughter of Francois Bourbonnais Jr., were given one section of land each by the Treaty of Camp Tippecanoe.

The Treaty Council, held October 20, 1832, negotiated title transfer of Potawatomi land that lay north and east of the Kankakee River to the United States. It also reserved certain tracts of land for the lifetime use of individual Indians and mixed-bloods of Indian descent known as Metis.

A year after the treaty was signed, Catfish sold the eastern half of her section to Samuel Russell for \$600. In 1847 and 1848, long after the Bourbonnais had departed from the oak and hickory crowned ridge southeast of Soldier's Creek, the remaining land was bought by Isaac Elston and August M. Wiley. These sales were recorded in two counties in western Missouri, indicating that the Bourbonnais were living either there or in eastern Kansas at that time.

The withdrawal of the Bourbonnais, other Metis families and the Indians from Illinois in the middle 1830's ended an era of 130 years or more of intermarriage between the French-Canadian fur traders and women of the western Algonquin tribes. These marriages had produced large families of mixed-blood offspring who played decisive rolls in the destinies of midwestern Indian tribes.

Many Metis became headmen or chiefs and negotiated treaties between the Indians and white government officials; some grew to be defiant warriors who fought the westward migration of settlers. Along with their Indian brethren, the Metis mourned the loss of the French "fathers" after Canada fell to the British.

Although the Metis called the English, and later the Americans, "my brothers," their hearts were with the "Waybaymishetome," the French, and they looked toward the day when France would reclaim its lost empire in North America.

Time, politics, and a tide of Anglo-Saxon settlers from the east coast eventually stripped the Metis of their fragile hybrid culture. Neither white nor Indian, they became the middlemen of frontier intrigue - the brokers of Indian power - while at the same time fighting a desperate battle to prevent the collapse of their own outland society.

Finally, the Indian Removal Act of 1830 forced the hard choice upon them: Live as the white men do, or deliver up your lands and take your lodges west of the Mississippi. Most eventually chose the long trail west.

By 1837 the Metis families, the Bourassa, Laframbois, Beaubiens, Jonveaus, Bourbonnais, Levias, Oiulmettes, Bertrands, Burnetts..., had abandoned the prairie groves, their beloved sugar trees and the fruitful river valleys of Illinois to face an uncertain future on the arid, short-grass western plains.

Local history says very little about the Metis, even though the Chevaliers, Jonveaus, Livias, Coutremans and Bourbonnais once owned land along the Kankakee.

We are not certain, for example, for whom the village of Bourbonnais is named.

Was its namesake Francois Bourbonnais Sr., or some other Bourbonnais - his son Francois, Jr., perhaps?

Another son, Washington, has been said by some to have been the man for whom Bourbonnais Grove was named.

Gurdon S. Hubbard, who was superintendent of the Illinois Brigade of the American Fur Company, recalls in his published memoirs that the Bourbonnais he knew on the Kankakee answered to the name of Antoine.

All four Bourbonnais are genuine historic persons. Their names and brief mentions of their activities appear on the pages of several documents of the times.

Washington Bourbonnais is the most obscure. That he died before his land was sold in 1848 is certain because his mother, brothers and sisters are named as heirs in the abstract of title.

The Antoine Bourbonnais remembered by Hubbard to be "a large and portly man, and for his years...very energetic," could have been the Antoine "Bulbona" who kept a trading post on Bureau Creek, some miles north of Peoria in the late 1820's. Bureau County historian N. Matson describes him as "a large raw-boned, dark complexioned man... (who) had a course bass voice." During the Black Hawk War (1832) Bulbona and his family fled Bureau Creek, never to return.

Francois Bourbonnais Sr., possibly a brother to Antoine of Bureau Creek, is believed to have brought his family to the Kankakee-Bourbonnais Grove area in either 1829 or 1830. Before 1828 he was living at the old French trading house, three miles below Peoria on the east bank of the Illinois River, where he was licensed to keep a tavern.

Francois Bourbonnais Jr., perhaps a half-brother to Washington

and the other Bourbonnais children, stands as somewhat of a mystery. He appears to be the oldest of Francois Senior's children, and may be the child of a previous marriage. He too was licensed to keep a tavern at the trading house, and in 1825 he was assessed \$100 in personal property tax. The Treaty of Prairie du Chien, 1829, gave one "Francois Broubonne Jr." one section of land on Mission Creek, just east of the Fox River in LaSalle County. It is not known if Francois Jr. ever lived there, but a cabin was built for him on his daughter's land at Soldier's Village by Case Wadley in 1834.

The whole Bourbonnais clan was living on the Kankakee in 1834. Francois Jr.'s cabin was just north of the line which separated Maw-te-

no's reservation from Catfish's. This east-west boundary almost evenly divided Soldier's Village. According to the field survey notes the lodges were scattered over an area of about one-quarter of a square mile, its center being where the Kankakee County court house is located now. The senior Bourbonnais and Catfish are believed to have been living in a cabin on the river south of the village. It is reported that during this year 100 acres of Catfish's land was plowed for cultivation by Wadley. Despite the appearance of having settled-in, the Bourbonnais abandoned their holdings in 1836.

In 1830, at the time the Bourbonnais were living at "La Pointe," the apex of a grove of timber on the upper reaches of Bourbonnais Creek, the population of the United States stood at 12,866,020, and Illinois had been a state for 12 years.

The next decade would see five million more Americans added to the census, the opening of the Oregon Trail, McCormick's reaper in the grain fields of the east, railroad lines linking together eastern cities, weekly steamboat service between Chicago and Buffalo, the invention of the telegraph, Samuel Colt's six shooter, American faces on Daguerreotype plates, and all Indian lands east of the Mississippi ceded by treaty to white ownership.

Nobody knew exactly how big America was in 1830 - except that it wasn't big enough for the settlers and the Indians once the prairies were squared-off into 640 acre sections by the surveyors. Where cessions had been made, one Potawatomi chief remarked: "The plowshare is driven through our tents before we have time to carry out our goods and seek other habitation."

From 1833 to 1837 wildcat land speculation brought boom times to the frontier. New roads and canals, and the lure of cheap land drew thousands of immigrants into Illinois.

On some as yet unknown day - most likely in the year 1836 - the Bourbonnais gathered together their possessions and joined one of the departing Potawatomi bands. Their destination was a 3100 square mile tract of land that lay between the western boundary of the Missouri River and Missouri.

The Platte Country, as it was called, had been awarded to the Potawatomi by the 1833 Chicago Treaty.

Platte Country was soon annexed by the State of Missouri, and the Indians and Metis families who had settled there were marched off to a new Indian sub-agency at Council Bluffs, Iowa.

The baptismal register of the Kickapoo and Council Bluffs Mission records the baptism of an "Antony Bourbonnais, son of Frank Bourbonnais and Catherine Chevaier," on July 13, 1838. "At the same time were baptized Mary Oside B., 16 years old and Catherine, 11 years old." Antony (Antoine) was then about 13 years old. It appears likely he had been born near Peoria when the Bourbonnais were living at the old French trading house.

The names have been anglicized in the register, but there is little doubt that these Bourbonnais are the same people who lived at Bour-

bonnais Grove and the Kankakee. The heirs of Washington Bourbonnais are named as Antoine, Peter, Oyette, Catherine and Catfish. On the abstract of title to Washington's reserve, Catfish is spelled Catecha and the name spelled Oyette is a misspelling of Ozette. Ozette is the Indian version of Josette. The name Mary Oside B. on the baptismal register is most likely Mary Ozette (Josette) Bourbonnais. Catfish is the Indian equivalent of Catherine. A Canadian genealogical record notes that Francois Bourbonnais married a Catherine Chevalier.

There has always been a question whether this Catherine Chevalier was the Indian woman Catfish. Again, there is no certain answer. However the Chevalier name is associated with mixed-blood families from the St. Joseph River region of southwestern Michigan. In 1826 Alexander Robinson, a mixed-blood Potawatomi chief in Chicago, married a Catherine Chevalier who was the daughter of one Francois Chevalier, "an important Potawatomi of St. Joseph, Michigan." Bourbonnais' wife, Catherine, may have been an aunt or cousin to the girl who married Robinson.

But what about the name Catfish?

There are two entries in the Saint Joseph Baptismal Register where a Catherine L'arch or Larch (L'archeveque) signed her name as Catis. The Potawatomi language had no spoken sound for "r." Catherine Chevalier was probably known as Catfish Shobonier or Shabbona in Potawatomi villages.

The Council Bluffs sub-agency was closed in 1846 and by 1848 most of the Potawatomi had been moved to a reservation in Kansas on the Kansas (Kaw) River. It was in Kansas, at Saint Mary's Mission, that Antoine Bourbonnais was confirmed in the Catholic faith. The date was April 23, 1853; Antony was about 28 years old.

Antoine married Mary Anne Anderson in 1862. She was a descendent of Antoine Wilmette (Ouilmette), the Chicago pioneer for whom the city of Wilmette is named.

About two-thirds of the Potawatomi in Kansas decided to become American citizens in the 1860's. These "Citizen Band" Potawatomi gave up their land on the Kansas reservation and many eventually settled in Indian Territory (Oklahoma). Antoine Bourbonnais and his family of four boys and one girl were among the Citizen Band who immigrated south from Kansas.

The long bitter journey is recorded in the diaries of Mary Anne Bourbonnais. The family left Kansas in April of 1872, in the company of four other families. They traveled in covered wagons:

"We have to work our way each day - high water detaining us...Antoine not well, but better. Having what we think paralis...he is on crutches which he made himself...Almost every day we have broken wagons...some one of us sick all the time."

Once settled on the North Canadian River in Oklahoma:

"The men are cutting logs to build our houses...the flies and mos-

quitos are about to take us... We have to keep the smoke going... The horses go out to eat, stand it as long as they can, and then here they come and mill around the smoke... we are going to lose some or all of

them... Most of the company are ready to start back North, but Antoine and John (Anderson) say: 'We sold out, nothing to go back to'... We are all in bed with chills... Antoine went to Pauls Valley and bought two bottles of quinine and paid \$10 an ounce for it...."

In the later years of their lives, Mary Anne and Antoine became Quakers. She was the first superintendent of the Quaker Sunday school in Pottawatomie County, Oklahoma.

Of Antoine, Luther B. Hill writes in his "History of the State of Oklahoma:"

"Until his death at the age of 67, he was one of the upright and influential residents of Pottawatomie County....by occupation he was a cattleman and remained a member of the Quaker Church."

And of Mary Anne, Hill writes:

"The honor of having established the first Sunday school in this part of the state is one that entitles her to more than average distinction for a woman. She has also extended her efforts in other directions in church and charitable work and is an active worker and member of the Women's Christian Temperance Union. She was one of the most enthusiastic workers in promoting the statewide prohibition movement in 1907."



Antoine Bourbonnais' cabin, built on the North Canadian River in Oklahoma after the family's relocation, is one of the few remaining tribally historic buildings in existence today. The Citizen Band hopes to receive approval from Antoine's descendants to restore the cabin on tribal trust land.

Mary Anne Anderson married Antoine Bourbonnais in 1862. She was a descendent of Antoine Wilmette (Ouilmette), the Chicago pioneer for whom the city of Wilmette, Illinois is named

Photo courtesy of Carlisle Jenks



From the Chairman

Fellow Tribal Members,
I don't often "get my dander up," as they say around here, when a person becomes upset with the way things happen. All of us Potawatomi can be a little "warm blooded" at times. This I can bear witness to.

After 15 years, off and on, of working with our tribe I guess I've seen most of it. Over the years I've been cussed, sued, threatened and robbed. My car tires have been slashed, my garage burned down, my children threatened and my cat poisoned. I once stayed out of tribal politics for seven years except to attend the General Council. During those years I watched the power of our elected officials usurped, our money stolen, the administration of the tribe enrich itself at the expense of the people and, worst of all, the decline of people willing to involve themselves.

Finally, my 90 year old grandmother asked me, as did my Uncle Kenneth, to get back into the fight. My grandmother has had two sons who were tribal chairmen. Her husband, father, grandfather and great-grandfather were on the Business Committee of the Potawatomi Tribe. Their fathers and grandfathers before them were leaders in the tribe. She said we ought to go "clean that mess up."

So, with the help of a large number of people who felt as she did, we did it. The tribe was in debt and out of control. It neither informed or respected its members. We had General Councils so filled with petty bickering, violence and lawlessness that the tribe could not govern. Most of the responsible people and our elders had left in disgust or were frightened away.

So, we changed our Constitution. No longer would 50 or 60 people decide for 12,000. The entire tribe would be the Council. We began to have Regional Council meetings and discovered more dedicated, interested, loyal Potawatomi than I had seen in 10 years of General Councils in Shawnee.

Our Councils now are positive, informative, and businesslike -

even the ones in Shawnee. So why, you might ask, am I upset?

Every year something slimy

crawls out from under a rock somewhere and writes a letter purporting to be from "Concerned Potawatomi." The letter is usually filled with accusations, smutty innuendo, and a self-righteous tone of "speaking on behalf of the tribe."

These little hate letters are always unsigned. The spineless worms who write them haven't got the guts or decency to stand up and voice their opinion in a Council, Business Committee meeting or letter to the HowNiKan. There is one being mailed out now to people around the country. Although who ever wrote it didn't have the courage to sign the letter, we know that the mailing permit was taken out in the name of George Smith.

Since the only George Smith we have in the tribe is over 70 years old, and with the wisdom of so many years would not commit an act so shameful and cowardly, we can only assume someone is using his name. Perhaps it is a younger relative who is a disgruntled ex-employee of the tribe that I had to fire. Or perhaps it is someone trying to shame this elder in our tribe.

I'm not saying we are doing everything perfect on this Business Committee. I am saying we are doing our best by putting in all the time and effort we can muster. Before you believe a word from a character assassin who won't even sign a letter, ask yourselves this: If these accusations are true, why be afraid to sign your name?

One of the accusations made is that we are trying to "sneak a Constitutional Amendment by the people." If this person can read, the Amendment and proposed Charter have been printed in the HowNiKan, published in the minutes of the Business Committee, and discussed at every Regional Council meeting since the Business Committee authorizing resolution was submitted to the Bureau of Indian Affairs.

The amendment provides for orderly change on the Business Committee by electing one new official each year; or five year terms. The new Constitution you voted in almost three years ago provides a legal, fair, and orderly means of removing someone from office if they do wrong. Changing the terms of office will lead to a more stable, responsible government.

Another accusation made is that my family controls the tribe. I am not employed by or paid a salary by the tribe. I own my own business. There is one member of the tribal staff, out of more than 60 employees, that was hired by the Tribal Administrator and is in my family. The Accounting Department Director is the wife of a cousin of mine. That is not why she was hired. She has over 10 years of professional

experience and is doing an excellent job - that is subject to full audits, a purchase order system that she cannot sign off on, and a dual check signature system which she is not authorized to sign.

The elected Secretary-Treasurer of the tribe, Kenneth Peltier, is my uncle. He is one authorized check signature. He cannot originate a purchase order without the Tribal Administrator's approval. A full system of security on purchases and funds is in place. I did not hire Kenneth Peltier; the tribe elected him and he is doing a good job.

Another member of my family who was working at the tribe before I was elected is the widow of a former chairman who was my uncle. My aunt is not a tribal member. Her job is to help feed our Senior Citizens. It would be foolish and cruel to fire her because I got elected to office.

A first cousin of mine, Norman Kiker, is one of five members appointed by the Business Committee to the Tribal Election Committee. He served as an elected official of the tribe long before I was elected as chairman. He has no single control over votes, ballots, or any election process. He must work strictly within the Election Ordinance in conjunction with the other members of the Election Committee, with observers selected by each candidate in attendance during the counting of the ballots.

The nasty little hate letter also "accuses" the editor of the HowNiKan, Pat Sulcer, of being my wife. I should have been so lucky these years that I have been single! I have asked Pat to become my wife this August. She has honored me by consenting. I hope you will agree that the HowNiKan is a polished, professional publication we can all be proud of. While she is not a tribal member, she has served as editor of newspapers in Michigan and Florida and has been a professional journalist for 12 years. My heart aches that she should feel pain from a letter implying that she is anything other than competent and dedicated to her job and this tribe. Those of you who know her, know better.

We are also accused of "wining and dining" tribal members at the Regional Councils. This is a backhanded slap at the Regional Council concept. The few who voted against the new Constitution just can't stand it that they do not get to run the entire tribe from the Shawnee General Council meeting. As far as the Business Committee is concerned, the best money we spend is on the Council meetings, both in Shawnee and the other cities. No wine is served. A meal is served. Money spent by the

tribe to feed a member in Phoenix or Houston or where ever, is probably the first and only thing this tribe has ever given him or her in their lives.

We do not spend set-aside money on Councils and the money spent belongs as much to a tribal member in California as to a member in Shawnee. The Business Committee is reimbursed for meals and airfare expenses at U.S. Government rates. We lose money in the process. Counting Regional Councils, other required tribal functions, tribal business meetings and meetings with Federal officials, we must spend over 20 weekends a year away from our families and businesses. We don't "wine and dine," we work our behinds off.

The salaried employees of the tribe who travel to Regional Councils and tribal and government meetings, Pat Sulcer (who coordinates the Councils) and B.J. Rowe (museum curator), put in over 300 hours per year of time over their regular job hours - at no compensation. The elected officials whose duties require them to work fulltime at the tribe, Dr. Francis Levier, Kenneth Peltier and Doyle Owens, do the same, in addition to their time spent as Pow Wow Club officers. All of us attend inter-tribal functions, testify in tribal rights court issues, government regulations training functions, professional organizations, Chamber of Commerce meetings and committees and religious functions. You don't just hold an office or a job with this tribe, you live it.

So, there are five who have ties to me; some distant ties, some close. I am reminded of when critics of General Grant told President Abraham Lincoln that Grant drank whiskey all the time. Since Grant was winning the war for the Union, Lincoln replied: "Find out what kind of whiskey it is and I will send it to all my generals." The critics of this administration don't say we aren't doing the job, just that five out of more than 80 employees, appointees and elected officials have ties to me. But one thing is certain: any man has a right to confront his accusers. It is not just the Potawatomi way, it is the American way, as well.

Every member of the tribe will receive a copy of the Constitutional Amendment and the Charter we have proposed. They have been published in the HowNiKan. We urge you to vote for them.

John Baint

The Following Advertisement Was Published In Two Pottawatomie County Newspapers During February

An Open Letter to the People of Pottawatomie County

In the last two weeks, numerous "Indian smoke shops" have been raided, closed or received state tax levies. This was done with a great deal of media fanfare and carried out under the direction of Oklahoma State Tax Commission Chairman Cindy Rambo with the tacit consent of Governor Bellmon. The phrase "Indian smoke shop" is itself misleading. Each tribe in the state operates under a different treaty and a different constitution. Each store that was closed or assessed by the State Tax Commission was operating under individual and unique circumstances. It is obviously illegal for a person not affiliated with a tribe to throw up a cigarette stand on federal trust land and sell unstamped cigarettes without a license. On the other hand, a store owned, operated and licensed by an Indian tribe pays taxes to that tribe's government. All governments are financed by the levying of taxes, including sovereign Indian tribes. The hardest concept for the public to comprehend is that when you drive on to Indian land you, in reality, leave the state of Oklahoma. You are within the jurisdiction of another "state" and are obligated to abide by its laws and ordinances.

In 1983, President Reagan issued a statement on Indian policy reaffirming the United States' government-to-government relationship with the individual Indian tribes, a relationship recognized in treaties and reaffirmed in Section 8 of the United States Constitution, which says: "Congress shall have the power to regulate commerce with foreign nations and among the several states, and with the Indian tribes."

When Oklahoma was admitted to the Union as a state in 1907, it gave up all claim to and title in unappropriated lands "lying within the boundaries of and to all lands lying within said limits owned or held by any Indian, tribe, or nation." In fact, under the provisions of U.S. Public Law 83-280, the state of Oklahoma could have amended its constitution to assume jurisdiction over the Indian tribes within its borders between 1858 and 1968. Oklahoma chose not to do so.

It seems apparent that the state's desire to assume jurisdiction over the Indian tribes coincides with its need to make up a shortfall in state revenue.

For those residents of Pottawatomie County who feel the Indian tribes are getting a "free ride," consider the following facts regarding the Citizen Band Potawatomi Tribe:

(1) In an 1867 treaty with the United States, the Citizen Band purchased a 30-square-mile area in Indian Territory. The treaty provided that "once such reservation shall have been selected and set apart ... it shall never be included within the jurisdiction of any state or territory." Despite the sale of "surplus" Potawatomi land after passage of the Dawes Act in 1891, land retained by the tribe maintained its sovereign status.

(2) The Citizen Band Potawatomi Tribe cannot, by any stretch of the imagination, be considered a burden on the surrounding community. The tribe operates the only public golf course in the county. The tribe's annual payroll is in the \$1 million range — money that is spent right here on housing, clothing, food and utilities. The tribe's USDA Women's, Infants and Children's feeding and Elderly Nutrition programs purchase more than \$510,000 worth of food a year locally; general supply purchases made locally average \$360,000 a year. The tribe maintains a daily average balance in two local banks of more than half-a-million dollars. The Potawatomis do not receive "Indian Money." Every program administered by the tribe is available to municipalities.

(3) In recent months, the tribe contributed property appraised at \$18,000 to the City of Shawnee for a right-of-way. The tribe has donated training and supplies to the Sheriff's Department. The Potawatomi Police are cross-deputized with the Shawnee, Tecumseh and county police and respond to calls for assistance on a daily basis. The Potawatomis co-sponsor the Older American Aide Program — which provides in-home health assistance to Indians and non-Indians alike. More than 100 people a year receive job training through the tribal JTPA Program, with an additional (average of) 60 economically disadvantaged youngsters receiving training and employment through the summer months. The tribe pays an average of \$20,000 annually to state supported institutions of higher education attended by tribal members. The tribe's annual pow wow in June has an average attendance of 4,000 people — all of whom spend money in area motels, restaurants and stores.

(4) The government of the Citizen Band Potawatomi Tribe has an executive, judicial and legislative branch. It has a Tax Commission, Police Department, Tribal Court, laws and ordinances. In fact, the tribe's Alcohol and Tobacco Ordinance has been approved by Congress and printed in the Federal Register.

(5) The Indian-affiliated payroll in Shawnee and Tecumseh comprises this area's largest payroll. Think about it — the Potawatomi, Absentee Shawnee, Sac and Fox and Kickapoo tribal employees, the Indian Health Clinic, the Indian Action Center, the Bureau of Indian Affairs, CTSA, Inc., and the tribal Housing Authorities.

(6) There are 131 enrolled Citizen Band Potawatomi tribal members in Tecumseh, 712 in Shawnee and a total of 3,253 in Oklahoma. They pay real estate, income and sales taxes. They run businesses, employ people, participate in the community and spend money. They date your children, vote in local and state elections and go to your church. If you live in Pottawatomie County, it would be hard not to know a member of the Potawatomi Tribe. Maybe it's your neighbor.

The days of "You're an Indian and I'm not," are over. These are hard times for Oklahoma, but are you going to let the state take it out on your neighbor? It's time to get the facts straight and demand accountability. The reason "Oklahoma is going broke" has nothing to do with the Indian tribes.

It's time to look towards Oklahoma City and Washington, D.C., isn't it?

**John "Rocky" Barrett, Chairman
The Citizen Band Potawatomi Tribe**

Tribal Tracts



It has been another busy month at the Potawatomi Complex! Clockwise from top left: With the clear weather we were able to complete the slab behind the museum to be used for future expansion and repour the sidewalks; Bill Wamego, Jr., a Citizen Band tribal member working for the Pokagon Potawatomi in Michigan, visited the complex to observe tribal operations. Wamego (left) honored the tribal museum and archives with a presentation of black ash baskets and publications outlining the history and activities of the Northern bands; pictured with Wamego are B.J. Rowe, museum curator, and Chairman John Barrett; Dr. Francis Levier (second from right) looks on as Chairman Barrett swears in the 1987 Election Committee. They are, from right of picture, David Bourbonnais, Clarice Melot Bryant, Don Yott, Gary Bourbonnais and Norman Kiker; The Interstate Commerce Commission and State Corporation Commission officials stopped buses carrying passengers to the tribal bingo hall and checked them for interstate violations. The tribe is currently involved in litigation with the bingo hall management group (EMCI, Inc.). The tribe is charging the group is operating the games without a valid management contract and an April trial date has been set; Tribal Attorney Michael Minnis meets the press after the federal court hearing on the state Tax Commission's attempt to assess state taxes on the Tribal Store. Tax Commission attorney Robert Jenkins looks on from the background; Chairman Barrett and Tribal Store Manager Jan Gale met with attorneys for the state Tax Commission at the store site a few days before Barrett was charged personally with the tax assessment.

For The Record

Business Committee Meeting — December 16, 1986

Present were Chairman John Barrett, Vice Chairman Doyle Owens, absent, Secretary and/or Treasurer Kenneth Peltier, Councilman Francis Levier with Councilman Bob Davis absent. Tax commission Director Ed Wilson and Attorney Ben Cotten of the firm Cotten, Day & Doyle, Attorneys at La, also present.

Chairman John Barrett called the meeting to order at 5 p.m. on December 12, 1986.

Kenneth Peltier proposed Resolution #87—36 to amend the proposed charter submitted to the Bureau of Indian Affairs.

Ben Cotten stated to the group that he would write the resolution and send it to Francis Levier, Tribal Administrator for approval and signatures.

Francis Levier made a motion to eliminate from Article V — Departmental Review of Corporate Acts: (1) and (b). Motion was seconded by Kenneth Peltier. Motion passed 3 in favor, 0 opposed and 2 absent.

Kenneth Peltier made a motion to adjourn. Motion was seconded by Francis Levier. Motion passed 3 in favor, 0 opposed and 2 absent.

Business Committee — January 12, 1987

Present: John Barrett, Doyle Owens, Kenneth Peltier, Francis Levier, Tribal Rolls Director Ava DeLeon, Tax Commission Director Ed Wilson, Assistant Administrator Pat Sulcer, Economic Development Coordinator Dr. Robert Shapiro.

Chairman Barrett called the meeting to order at 7:10 p.m.

Francis Levier moved to approve the minutes of the November 24, 1986 minutes after correcting them to reflect the absence of Doyle Owens and Bob Davis. Bob Davis seconded; passed 5-0.

Francis Levier moved to approve the Committee minutes of December 22, 1986. Doyle Owens seconded; passed 5-0.

After individual review of the applicants submitted, Bob Davis moved to approve Potawatomi Resolution #87—48 accepting three qualified applicants for enrollment in the tribe. Doyle Owens seconded; passed 5-0.

After review of the Department of Interior's suggestion concerning the proposed tribal constitutional amendment, Doyle Owens moved to approve Potawatomi Resolution #87—49, mandating consecutive election of Grievance Committee members (as well as Business Committee members). Current member Dennis Duvall would be up for Grievance Committee re-election in 1987; Beverly Hughes in 1988 and C.B. Hitt in 1989. Bob Davis seconded the motion; passed 5-0.

After discussion of indigenous inaccuracies in the tribal seal, Committee consensus was to ask Beverly Hughes (the original creator of the seal) to submit draft revisions to the Committee reflecting the traditional woodland flower and vine pattern as well as a single red border.

It was announced that the tribe's litigation with the bingo management firm, Enterprise Management Consultants, Inc., has been given a trial date for April 6, 1987.

Bob Davis moved to increase the amount the tribal administrator was authorized to approve for non-contractual and non-major tribal expenditures to \$1,000. Doyle Owens seconded; passed 4-0, Levier abstaining.

John Barrett proposed the tribe look into the possibility of selling K-1 kerosene at the Tribal Store.

Francis Levier reported that piers and sewers will be installed this week at the pow wow grounds.

Discussion was held on the necessity for review, update and collation of the tribe's regulations and ordinances.

Discussion was held on a letter received from St. Gregory's concerning their donation to the tribe of two buildings currently located at Sacred Heart. Discussion was also held on the Bourbonnais cabin, which has been allowed to deteriorate. Chairman Barrett will be contacting the Bourbonnais regarding tribal renovation and relocation of the cabin.

Discussion was held on the Elderly Housing and Activity Center.

Bob Davis moved to put the issue of financing the historical project (including the Bourbonnais and Sacred Heart buildings) to referendum vote of the Council this June. Doyle Owens seconded; passed 5-0.

Discussion was held on FireLake golf Course maintenance and management.

Bob Davis moved to approve Potawatomi Resolution #87 — 50 incorporating both tribal and Department of Interior changes in the proposed charter and constitutional revision. Kenneth Peltier seconded; passed 5-0.

Business Committee went into Executive Session at 9 p.m.; reconvened at 9:25 p.m.

Discussion was held on economic development priorities and governmental legislation affecting the tribe.

Business Committee Minutes, January 29, 1987

Present: John Barrett, Doyle Owens, Kenneth Peltier, Francis Levier, Rolls Sec. Ava DeLeon, Tax Commission Director Ed Wilson, Assistant Administrator Pat Sulcer. Committeeman Bob Davis is available to vote by phone.

Chairman John Barrett called the meeting to order at 11 a.m.

Doyle Owens moved to waive the reading of the previous minutes. Kenneth Peltier seconded; passed 4 -0.

After review of the applications, Doyle Owens moved to approve Potawatomi Resolution #87 — 51 accepting two applicants for tribal enrollment. Kenneth Peltier seconded, passed 4-0. A third applicant will be advised they are high enough in blood degree to enroll with the Osage Tribe.

Discussion was held on the importance of preserving tribal government documents for the archives. Secretary Kenneth Peltier will be preparing copies of all Committee minutes and resolutions for use by the tribal archives and the tribal judges.

Discussion was held on the Absentee Shawnee Housing Authority's refusal to act on the appointment of the Potawatomi representative to the Housing Authority.

Kenneth Peltier moved to approve Potawatomi Resolution #87 — 52 appointing the 1987 Tribal Election Committee. Doyle Owens seconded, passed 4-0. 1987 Committee Members are: Chairman, Norman Kiker; Members: Clarice Melot Bryant, Gary Bourbonnais, Don Yott, David Bourbonnais. The Election Committee will be serving as the tribe's representatives for the Secretarial Election coming up in the near future and conducted under the auspices of the BIA, as well as conducting the annual tribal election in June.

Meeting adjourned at 11:30.

Business Committee — Feb 2, 1987

Present: John Barrett, Kenneth Peltier, Francis Levier, Bob Davis, Ed Herndon of the BIA, election Committee members Norman Kiker, Don Yott, Gary Bourbonnais, Clarice Bryant, and David Bourbonnais, Assistant Administrator Pat Sulcer. Vice Chairman Doyle Owens absent.

Chairman Barrett called the meeting to order at 5:45 p.m.

Chairman Barrett swore in the members of the 1987 Election Committee. The committee was then addressed by BIA officer Ed Herndon regarding their roll in the upcoming Secretarial Election.

A Business Committee/Election Committee joint review of the revised 1986 Election Ordinance was conducted and several changes made by consensus of both groups. The revised ordinance will be run later in the HowNiKan.

Francis Levier moved to approve the Jan. 12, 1987 Business Committee minutes as read. Bob Davis seconded; motion passed 4/0.

Discussion was held on a proposal submitted from an individual wanting to draft and hand-carry the tribe's HUD proposals through the grant procedure. Francis Levier will discuss consultant wages with the applicant and report back to the Committee.

Discussion was tabled on purchase of cash registers for the Tribal Store.

Meeting recessed at 6:50 p.m.; reconvened with Election Committee present at 6:55 p.m.

Kenneth Peltier moved to approve adoption of the 1987 Election Ordinance as revised by the joint committee session. Bob Davis seconded; passed 4-0.

Meeting adjourned at 7:15 p.m.

The ballots for the
Secretarial Election
on the Charter &
Constitutional
Amendment are in the
mail

Please Vote!

In your opinion

Dear HowNiKan,

Recently my husband and I attended the Regional Council Meeting of the Citizen Band Tribe in Scottsdale, Arizona on Saturday, January 24, 1987 at the Holiday Inn Scottsdale. It was the first meeting that I have ever attended. I was skeptical at first — not knowing what to expect, or whether or not it would be boring. It turned out to be a learning experience and quite enjoyable. Everyone was friendly! Dr. David Edmunds joined us at our table for lunch. We found him to be a very interesting and fascinating man. He would get so excited when discussing the tribal history and his book *The Potawatomi: Keepers of the Fire*. Thank you very much!

Sincerely,

Margaret A. (LeClair) Coffman
Glendale, Arizona

To: Editor of the HowNiKan
Pat Sulcer

This is my personal opinion on the Constitutional changes. I am requesting that it be published in the *HowNiKan* newspaper for all tribal members to read.

Dear Tribal Members,

As you probably know, we have an election coming in the near future pertaining to the proposed Constitutional amendment article 12. Please bear in mind that it only takes 3 votes by the Business Committee to oust or impeach any Business Committee member also the Chairman has the power to appoint anyone to fill the vacancy or unexpired term of a member.

The proposed Constitutional amendment states that only one office or committee member will be voted upon each year by a Tribal vote. I sincerely urge each bonafied Tribal member to VOTE.

Example

#1 Mr. A - Holding Office

#2 Mr. B - Opponent

#3 Mr. B - Elected by popular tribal vote

#4 Business Committee meeting

#5 Business Committee votes Mr. B out of office

#6 Mr. Chairman appoints Mr. A back into the office which the tribe voted him out of.

#7 This can be done in a matter of one meeting or a few hours after any election.

So, therefore, your vote and my vote becomes meaningless. When our votes become meaningless, we cease to have a Democracy and have a Dictatorship.

As I have stated, this is my personal opinion. May I again, urge each and everyone to vote against, I repeat, against, the proposed Constitutional Amendment.

This may be and very well

could be the last vote that we will have as a free tribal member. Let us maintain our freedom!

Sincerely,

Roy T. Smith
Wilberton, Oklahoma

Editor's Note: All tribal members have received a copy of the Constitution passed on May 29, 1985. Articles 8 - Recall, and 9 - Removal and Forfeiture, outline the circumstances under which the Business Committee can remove one of its own members. They are: 1) misconduct in office as defined by tribal ordinance; 2) conviction of a felony or other offense involving moral turpitude or dishonesty; 3) ineligibility for office as mandated by the Constitution. According to the Constitution, "Removal action shall be taken only upon proof by clear and convincing evidence at a formal hearing during which a verbatim transcript and record of the proceeding is made." The "accused" receives notice of charges against him, the right to counsel and cross-examine and, if removed from office, the right to appeal directly to the Tribal Supreme Court.

TO: Potawatomi of Oklahoma for Better Tribal Government; I received your very informative letter in today's mail and I must say I have never encountered such petty back-biting malice in all my life. I would have been ashamed to send such a letter to anyone, let alone to "Dear Member." If this is an example of what you wish for the future of the tribe, forget it.

In case you hadn't thought of it yourself, it is also our money (the Non-Oklahoma Potawatomi) that helps to pay for these so-called (according to you) "pleasure trips" of our Business Committee. And I, for one, am thankful we are being recognized as a part of the tribe and are given the opportunity to meet face to face with them. I can only conclude from your letter there are no plans in your future to continue this offering, and we will be back to square one. You couldn't afford to bring the Business Committee to the people as it would make you guilty of doing the same thing they are being accused of. So...?

As for John "Rocky" Barrett, I think he has done one hell of a job for no longer than he has been in office, and I wouldn't mind at all to see him right where he is five years from now. For the first time the tribe is out of debt and operating in the black; the ball is rolling downhill now, let's not change its direction.

As for your snide reference of Rocky's "supposed" wife (Pat Sulcer) it must be your opinion.

She has never been introduced to any of the meetings I have attended as anyone other than Pat Sulcer, editor of the HowNiKan. If you aren't sure of your facts don't put them in writing as it sure is good material for a lawsuit.

Since your letter was not signed by any specific persons, how can we be expected to believe it as actual fact, and not malicious gossip? Can you offer the tribal members an iron clad guarantee that never among the future Business Committee Members will there be even two who are related?

I hardly think Rocky, or anyone else holding two terms of

office can be classified as a "Dictator," since the major decisions are made through a vote of the people, and in a Dictatorship the people are not recognized as such; they are "subjects."

As I have nothing to hide and reserve my right of freedom of speech, I can openly sign my name and hope this makes its appearance in the HowNiKan, and pray that all future Business Committee Members are as pure as Virgins!

Sincerely,

Grace E. Merrifield
Great-Granddaughter of
Madeline Yott Bumbaugh
Lake Havasu City, Arizona

Address Change Form

To: Citizen Band Potawatomi Roll Number _____
Indians of Oklahoma
Rt. 5, Box 151
Shawnee, Ok 74801

**The following is my current mailing address.
Please mail checks and other correspondence to
same until further notice is given**

Name: _____
(Include Maiden) (Please Print)

Box, Route
Or St. No: _____

Town or City: _____

State: _____ Zip Code _____

Birthdate: _____

Obituary

Peltier



The Potawatomi people lost a dear and loyal friend when Pauline Peltier passed away on February 28, 1987.

Mrs. Peltier, wife of Citizen Band Secretary-Treasurer Kenneth Peltier, had attended several Tribal Regional Council meetings where she made many friends. She was an active member of the Pottawatomic Inter-Tribal Pow Wow Club and represented the tribe at hundreds of pow wows over the years. She participated in the tribe's Title VI Program and was a member of the First Christian Church.

She is survived by her husband, Kenneth Peltier, four children, nine grandchildren and one great-grandchild.

She will be missed by us all.

POTT SHOTS

FAMILY NETWORK

All descendants of John and Elizabeth (Hardin) Anderson, Antoine and Mary (Anderson) Bourbonnais and Pete and Julia (Hardin) Anderson are invited to attend the largest ever family reunion and get-together picnic, to be held in conjunction with the annual tribal General Council and pow wow.

The family will gather at the picnic pavillion behind the tribal complex in Shawnee, Oklahoma on June 27, from one till five p.m. All relatives are invited to bring a picnic lunch, see family and friends, share stories, pictures, food and fun. There will be trophies awarded for the oldest and youngest descendant, most and least miles travelled to attend, horse shoes, dominoes, etc.

For further information contact Dorothy (Anderson) Singleton, 212 Brunswick Lane, Mesquite, Texas 75149 or call (214) 288-8724.

INFO WANTED

Author Vic Johnson is seeking information on the Bourbonnais family in Illinois during the 1800's. In particular, information is solicited from tribal members who have information on Minemaung, Catfish Bourbonnais, Watch-e-kee, Shawannassee and Mesheketeno.

Write to Mr. Johnson at P.O. Box 13, Bradley, Illinois 60915.

Potawatomi Professionals

Backhoe Service — Kenneth Silas, Box 107, Konowa, Oklahoma 74849; phone (405) 925-3585. Specialty: All kinds of backhoe work. Rates: \$30 per hour with a three hour minimum.

Memorials — Peggy Lee, Bethel Monuments, Route 4 Box 840,

Shawnee, Oklahoma 74801; phone (405) 275-6131. Specialty: grave monuments and markers.

Insurance — James B. Walter, The Equitable Life Assurance Society of the United States, 934 13th St. SE, Mason City, Iowa 50401.

Hairstyling — Leslie Jenks, 1011 N. Broadway, Tecumseh, Oklahoma 74873; phone (405) 598-3271. Specializing in haircare for men, women and children. Special discount rates for senior citizens.

Construction — Sharon Dimbler, Chikara Unlimited, Inc., General Construction and Networking, 1811 West Katella, Suite 135, Anaheim, California 92804; phone (714) 535-3428. Specialty: commercial concrete, tilt-ups, large buildings, plus a network division.

Archaeologist — Benn Rhodd, State Archaeological Research Center, Box 152, Fort Meade, South Dakota 57741; phone: (605) 347-3652 or 3667. Specialty: Field work, analysis, photography, mapping, research and writing about archaeological sites.

Pipeline — Mike Madden, Planning and Compliance Coordinator, Celeron Pipeline Corporation, P.O. Box 31029, Santa Barbara, California 93130; phone: (805) 683-5627.

HELP WANTED

WANTED: Journalist. Seeking qualified journalist with minimum five years experience to develop a news service. Position requires gathering, writing and producing news items relating to Indian issues for the Native American Press Association (NAPA) NEWSNOTES, a bi-monthly publication for members and subscribers. Background in layout and/or design and a knowledge of Indian country and/or issues required. Salary negotiable. Send resume and clippings to: Margaret A. Clark-Price, Executive Director, Native American Press Association, P.O. Box 9042, Scottsdale, Arizona 85252.

News Producer: KOB-TV in Albuquerque, New Mexico is now accepting applications for the position of TV News Producer. Qualified applicants will have one year's experience in production or two years as a news writer. For more information contact Dan Webster at (505) 243-4411, ext. 452; or write to 4 Broadcast Plaza, SW, Albuquerque, N.M. 87103.

NATIVE Organizations

American Indian Council of Architects and Engineers
Box M, Browning, Montana 59417, (406) 338-7545

Association of American Indian and Alaska Native Social Workers
1220 South Third Avenue, Portland Oregon 97204, (503) 231-2641

Association of American Indian Physicians
6805 South Western, Suite 504, Oklahoma City, Oklahoma 73139, (405) 631-0447

Council of Energy Resource Tribes
1580-A Logan Street, Suite 400, Denver, Colorado 80203, (303) 832-6600

Intertribal Council
P.O. Box C, Warm Springs, Oregon 97761, (503) 553-1161
National Congress of American Indians
804 D Street, N.W., Washington, D.C. 20002, (202) 546-9404

National Council on Aging Indians
P.O. Box 2088, Albuquerque, New Mexico 87103, (505) 766-2276
National Indian Education Association

1115 2nd Avenue South, Ivy Tower Building, Minneapolis, Minnesota 55403, (612) 333-5341
National Urban Indian Council

2258 South Broadway, Denver, Colorado 80210, (303) 698-2911
National Tribal Chairmen's Association
818 18th Street, N.W., Suite 850, Washington, D.C. 20006, (202) 293-0031

Native American Rights Funds

1506 Broadway, Boulder, Colorado 80302, (303) 447-8760

North American Indian Women's Association
P.O. Box 23388, Washington, D.C. 20026, (703) 534-7107

United Indian Development Association
9650 Flair Drive, Suite 303, El Monte, California 91731, (818) 442-3701

National Advisory Council on Indian Education
2000 L Street, N.W., Suite 574, Washington, D.C. 20036, (202) 634-6160

Correction

In last month's HowNiKan we mistakenly credited Tim Giago with authorship of the article titled "Who is an Indian? Ask your congressman." The article should have been attributed to the Navajo Times Today.

In last month's HowNiKan we

also forgot to include the phone number of the Native American Press Association. For information on Native American career day seminars in the field of journalism please contact Margaret Clark-Price at (602) 941-0038.

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Happy Birthday

The family of Laura Ogeal Bourassa Maisch would like to wish her a very happy 85th birthday. Mrs. Maisch was the fourth child of seven born to Joseph Napoleon Bourassa, Jr. and Addie J. McCleary. Born in Kay County, Oklahoma on April, 27, 1902, Mrs. Maisch would later marry Carl Phillip Maisch in Webb City, Oklahoma in 1925. The mother of four children (Elizabeth Maisch Hancock, Jerry Lee Maisch, Patricia Maisch Brolier and Barbara Maisch Dzibinski) Mrs. Maisch now has 10 grandchildren and 10 great-grandchildren. Tribal members wishing to send her a personal birthday card may write to her at 4330 Washington, Room 229, Kansas City, Missouri 64111.



Crumbo to be featured artist

The artistry and crafts of the Kansas Indian Artists will be featured in this year's "Visions of the Earth" art show sponsored by the Native American Rights Fund. This year's all-Indian art show will be held May 8 - 10, 1987 at NARF's headquarters located at 1506 Broadway in Boulder, Co.

Eager that their work be accorded the attention earned by their peers in other areas of the country, Indian artists in Kansas have joined forces to put their work before the public. Founded in 1984, the Kansas Indian Artists formed primarily to promote the artwork of professional Indian artists and to provide a greater awareness of Indian art to the people of Kansas. The group has organized shows for the Wichita Indian Museum, Kansas Museum of History, the Historical Society of Kansas and various other arts and crafts exhibits held throughout the state.

The Kansas group will share

the spotlight with Woody Crumbo who is of Potawatomi descent and currently resides in Oklahoma. Mr. Crumbo began his career as an artist during his high school years (1929) and is one of the nation's outstanding traditional Indian artists of today.

A special featured attraction in this year's show will be an exhibit of handwoven baskets by the San Juan Southern Paiutes. Farming, sheep and cattle raising, and hunting and basket weaving provide the basis for self-sufficiency for this tribe of Indians. The Native American Rights Fund is currently representing the San Juan Southern Paiutes in a land rights dispute. Each year since 1980, the Native American Rights Fund has sponsored the "Vision of the Earth" benefit in an effort to present Native American art to the Boulder - Denver community and at the same time raise money to benefit NARF's national Indian legal rights program. The

